

Issued: September 30, 2016

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
WEDNESDAY, SEPTEMBER 7, 2016
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

DRAFT MINUTES

CALL TO ORDER/ROLL CALL: 7:00 P.M.

ATTENDANCE: Chair: Kevin Ahern; Vice Chair: Kevin Prestage; Commissioners: John O'Donnell; Michele Maresca; Michael Seder; Alternates: Gordon Binkhorst; Liz Gillette; Mishone Donelson; Staff: Todd Dumais, Town Planner/TPZ Secretary; Catherine Dorau, Associate Planner; Kimberly Boneham, Deputy Corporation Counsel

ABSENT: None

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

MINUTES:

1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Monday, August 1, 2016.
Motion/Prestage; Second/Gillette; Vote 4-0; Voting: Ahern, Prestage, Alternates: Binkhorst, Gillette.

COMMUNICATIONS:

2. **2016 Woodridge Lake and Wood Pond Fall Drawdown**- Woodridge Lake Association requests permission to drawdown both Woodridge Lake and Wood Pond by approximately 30 (thirty) inches from about October 1, 2016 to November 23, 2016 as part of their fall maintenance.
Motion to approve. Motion/Prestage; Second/O'Donnell; Vote 5-0 (Donelson seated for Maresca).

NEW BUSINESS: None

OLD BUSINESS:

4. **1358 New Britain Avenue (aka 7, 15, & 17 Berkshire Road)-** Application (SUP #1134-R1-16) of West Hartford United Methodist Church (Ken Shuskus, President of Trustees) requesting Special Use Permit approval to modify the landscaping for the parking area; construct a gazebo and incorporate newly acquired land at 15 and 17 Berkshire Road into the Church's property. (Submitted for TPZ receipt on August 1, 2016. Required public hearing scheduled for September 7, 2016.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Seder) to **APPROVE** this application with conditions.

During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.

5. **153 Hunter Drive-** Application (IWW #1048) of Norman Abare, R.O., seeking approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant proposes regrading of portions of the side and rear yard and to construct an approximately two (2) foot high retaining wall, arborvitae plantings, and fencing. The proposed is within the 150 ft. regulated area. (Submitted for IWWA receipt on August 1, 2016. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** (Motion/Seder; Second/Prestage) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

153 HUNTER DRIVE
INLAND WETLAND APPLICATION IWW #1048
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **153 Hunter Drive** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1048** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage,

and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **153 Hunter Drive**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.

TOWN COUNCIL REFERRALS AND REQUEST FOR REPORTS:

- 6. **Ordinance- Create a New Section for the Alteration of Floor Area Ratio Standard in the BC Zone** - Ordinance Amendment Application, on behalf of Lexham West Hartford Owner, LLC, to Create a New Section for the Alteration of Floor Area Ratio Standard in the BC Zone. (Town Council receipt on August 23, 2016. TPZ receipt on September 7, 2016.)
Motion to recommend approval. Motion/Prestage; Second/Seder; Vote: 5-0 (Binkhorst seated for Maresca) (Maresca recused herself).

TOWN PLANNER'S REPORT:

- 7. None

ADJOURNMENT: *Motion to adjourn/Seder; Second/Prestage; Vote: 5-0 (Gillette seated for Maresca). Meeting adjourned at 8:05 p.m.*

